

**Docket No. P08427-0-T**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	10/579,786
Conf. No.	:	3971
Applicant	:	Keith Medley
Filed	:	05/18/06
TC/A.U.	:	1794
Examiner	:	
Docket No.	:	P08427-0-T
Customer No.	:	28548

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RENEWED SUBMISSION UNDER 37 C.F.R. §1.497(d)**

Honorable Commissioner,

In response to the Decision on Petition mailed May 24, 2011 in the above-identified application, please consider the following Remarks.

**REMARKS**

Applicant thanks the Patent Office for considering the Petition filed on January 12, 2011 in the above-reference application, and respectfully requests consideration of this Renewed Submission under 37 C.F.R. §1.497(d) in view of the following remarks.

**Summary of Examiner Interview**

Applicant is thankful for the courtesy extended by Examiner Dombroske in granting a telephonic interview with Applicant's Representatives, Glenn Stoneman and attorney, Eric Fish, on June 9, 2011. Applicant includes the following as a summary of this telephonic interview.

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being transmitted to the U.S. Patent and Trademark Office by EFS-Web.

Date: June 9, 2011

/ D. Eric Fish/  
**Signature**  
D. Eric Fish  
*(type or print name of person certifying)*

The file history of this application was discussed to determine the appropriate response to the May 24 Decision on Petition. Specifically, we discussed whether, in this application, there was any record on file with the Patent Office showing existence of an assignee that would need to assent to a deletion of Jon. B. Schneider as a co-inventor under 37 C.F.R. § 1.497(d). Examiner Dombroske indicated that he could not find any record of an assignee on file. He also said that the only indication of an assignee came from a Petition filed on August 23, 2006, by the Applicant's then-present attorney, Jerome J. Norris. Examiner Dombroske indicated that if there was no assignee in existence, written assent of an assignee under § 1.497(d) would not be applicable to correcting inventorship in this application.

Also, we discussed whether the Power of Attorney filed on January 13, 2011, was appropriate in providing Applicant's present attorney with authority to act in this application. Examiner Dombroske indicated that because of the information provided in the "Title and Company" field below Applicant's signature, the Power of Attorney may have been construed as signed by an assignee. Attorney Fish noted to Examiner Dombroske that the "Applicant/Inventor" box above Applicant's signature was checked to show that Applicant (Keith Medley) signed the Power of Attorney in his capacity as the Applicant/inventor. Examiner Dombroske indicated that the January 13, 2011 Power of Attorney, as filed, seemed to be acceptable, and that he would instruct the appropriate office to accept the January 13, 2011 Power of Attorney.

Additionally, we discussed the status of the instant application in light of the May 24 Decision on Petition granting revival of this application. Examiner Dombroske indicated that this application is officially "active and pending."

### **Correction of Inventorship**

A submission under 37 C.F.R. § 1.48(a) requires:

1. A request to correct the inventorship that sets forth the desired inventorship change;
2. A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship occurred without deceptive intention on his or her part;
3. An oath or declaration by the actual inventor;
4. The processing fee set forth in § 1.17(i); and

5. If an assignment has been executed by any of the original named inventors, the written consent of the assignee.

Regarding requirement (1), Applicant respectfully requests correction of inventorship in this application. Specifically, Applicant requests deletion of Jon B. Schneider as a co-inventor, and submits that Keith Medley, as an original named inventor, is the sole inventor.

Regarding requirement (2), Applicant previously submitted a Declaration with the January 12, 2011 Petition, signed by Jon B. Schneider on November 12, 2010, declaring that he is not an inventor of the subject matter of several patent applications, including the instant application (Serial No. 10/579,786). Mr. Schneider also declared that any error in inventorship occurred without any deceptive intent. A copy of this previously submitted Declaration is attached hereto for reference.

Regarding requirement (3), Applicant previously submitted a Declaration for Utility Application with the January 12, 2011 Petition, signed by the sole inventor, Keith Medley. A copy of this previously submitted Declaration for Utility Application is attached hereto for reference.

Regarding requirement (4), Applicant previously submitted the fee set forth in §1.17(i) of \$130 with the August 23, 2006 Petition; and the Office dismissed the August 23, 2006 Petition on the grounds that the requirements had not been satisfied. Applicant believes that this prior payment satisfies the instant fee requirement to correct inventorship. However, if the Office concludes that the prior payment does not satisfy this requirement, the Commissioner is hereby authorized to charge any additional fees which may be required for this communication, or credit any overpayment, to Deposit Account No. 50-1887, referencing our Docket No. P08427-0-T.

Regarding requirement (5), Applicant's representatives have searched their records – including any records obtained from Applicant's former attorney – and have not been able to find any assignment records for the instant application. Given that Examiner Dombroske was unable to find any assignment records for the instant application, we can now definitively conclude that there has never been an assignment recorded in the instant application. Thus, Applicant respectfully submits that the August 23, 2006 Petition erred in indicating that an assignee existed. Applicant respectfully submits that the requirement indicated in the May 24, 2011 Petition Decision for obtaining the assent of an assignee is not applicable to the instant application.

In light of the foregoing remarks and accompanying information, Applicant respectfully submits that the requirements of §1.48 are now satisfied.

**Power of Attorney**

Applicant previously submitted a Power of Attorney filed on January 13, 2011, signed by the sole inventor, Keith Medley, in his capacity as the Applicant/Inventor. In light of the above-mentioned discussion with Examiner Dombroske, Applicant respectfully submits the previously submitted January 13, 2011 Power of Attorney was appropriate in providing Applicant's present attorney with authority to act in the instant application. A copy of this previously submitted Power of Attorney is attached hereto for reference.

**CONCLUSION**

For the reasons advanced above, Applicant respectfully submits that there are no missing parts to this application and that this application is in condition for examination by the Patent Office. Therefore, Applicant respectfully requests that this application be examined.

The Commissioner is hereby authorized to charge any additional fees which may be required for this communication, or credit any overpayment, to Deposit Account No. 50-1887, referencing our Docket No. P08427-0-T.

Respectfully submitted,

Date: June 9, 2011

/ D. Eric Fish/  
D. Eric Fish (Reg. No. 67,803)

STONEMAN LAW PATENT GROUP  
P.O. Box 40070  
Phoenix, AZ 85067-0070  
Tel: 602.263.9200 | 888.252.2200  
Fax: 602.277.4883  
<http://www.patentdoc.com/>

Enc.: Declaration of Jon B. Schnieder dated November 12, 2010 & filed January 12, 2011  
Declaration for Utility Application filed January 12, 2011  
Power of Attorney filed January 13, 2011

**DECLARATION OF JON B. SCHNEIDER**

I, Jon B. Schneider, declare as follows:

Upon review of U.S. Patent Application Publication No. 2008/0173659 A1, and the claims of the following applications, attached hereto as EXHIBIT A,

- U.S. Provisional Patent Application No. 60/358,352, filed 2/22/2002, entitled Magnetic Label Stock Material,
- PCT Application No. PCT/US03/04507, filed 2/19/2003, entitled Magnetic Label Stock Material,
- U.S. Nonprovisional Patent Application No. 10/579,786, filed 2/19/2003 (international filing date), entitled Magnetic Label Stock Material,
- U.S. Nonprovisional Patent Application No. 11/655,094, filed 1/19/2007, entitled Magnetic Label Stock Material,
- Canadian National Stage Patent Application No. 2,490,407, filed 2/19/2003 (international filing date), entitled Magnetic Label Stock Material,

I declare that I am not an inventor to the subject matter in the above-noted applications (or any related issued patent, continuation application, continuation-in-part application, divisional application, renewal application, re-examination application, or foreign counterpart application or patent, etc.) and I declare that I should be deleted as an inventor in said applications/patents.

I also declare that any error in inventorship in said applications occurred without any deceptive intent.

I further declare under penalty of perjury under the laws of the United States of America and/or the law of Canada that the foregoing is true and correct.

Nov 12 2010  
Date

Jon B. Schneider  
Jon B. Schneider

## EXHIBIT A

### Claims in 60/358,352

- 1) A stock tape for applying magnetic labels to a substrate comprising  
a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and having at least one major release surface,  
a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said labels being fixed on said release surface by means of said pressure sensitive adhesive,  
said labels being spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic labels,  
at least some of said magnetic labels having a dimension in said transverse direction substantially equal to said transverse dimension of said translucent tape.

### Claims in PCT/US03/04507

1. A stock tape for applying magnetic labels to a substrate comprising  
a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and having at least one major release surface,  
a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive,  
said labels being fixed on said release surface by means of said pressure-sensitive adhesive, said labels being spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic labels,  
at least some of said magnetic labels having a dimension in said transverse direction substantially equal to said transverse dimension of said translucent tape.

### Claims in Canadian Application No. 2,490,407

1. A stock tape for applying magnetic labels to a substrate comprising  
a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and having at least one major release surface,

a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive,

said labels being fixed on said release surface by means of said pressure-sensitive adhesive, said labels being spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic labels,

at least some of said magnetic labels having a dimension in said transverse direction substantially equal to said transverse dimension of said translucent tape.

#### Claims in 10/579,786

1. A magnetic label stock tape wherein the edges of the tape extending beyond the edges of the magnet are less prone to damage in handling in labeling machines consisting essentially of:

- a) a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and having at least one major release surface; and
- b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels being spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic labels, and

wherein at least some of said tape having a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of the magnet.

#### Claims in 11/655,094

1. A magnetic label stock tape that is less prone to damage in handling in labeling machines comprising:

- a) a translucent tape having a longitudinal direction and a traverse direction and a dimension in said transverse direction, and at least one major release surface; and
- b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and

wherein at least some of said magnetic labels have a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of said translucent tape.

2. The magnetic label stock tape of claim 1 wherein said translucent tape is a synthetic resin.
3. The magnetic label stock tape of claim 2 wherein said synthetic resin is a polyester.
4. The magnetic label stock of claim 3 wherein said polyester is poly (ethylene terephthalate).
5. The magnetic label stock of claim 2 wherein said synthetic resin is selected from the group consisting of polyethylene and polypropylene.
6. The magnetic label stock of claim 3 wherein said polyester is a mineral filled polyester.
7. In a method of mounting a supply tape of a magnetic label stock in which magnets are adhesively attached to the substrates, the improvement of preventing thin substrate edges from becoming bent, crushed, distorted and torn, comprising supplying to a labeling machine:

- a) a translucent tape having a longitudinal direction and a traverse direction and a dimension in said transverse direction, and at least one major release surface; and

- b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and wherein at least some of said magnetic labels have a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of said translucent tape.

8. In a method of distributing a supply tape of a magnetic label stock in which magnets are adhesively attached to the substrates, the improvement of preventing thin substrate edges from becoming bent, crushed, distorted and torn, comprising distributing from a labeling machine:

- a) a translucent tape having a longitudinal direction and a traverse direction and a dimension in said transverse direction, and at least one major release surface; and

- b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and

wherein at least some of said magnetic labels have a dimension in said transverse direction



substantially equal to or extending beyond said transverse dimension of said translucent tape.

9. The method of claim 7 wherein said translucent tape is a synthetic resin.
10. The method of claim 8 wherein said translucent tape is a synthetic resin.
11. The method of claim 9 wherein said synthetic resin is a polyester.
12. The method of claim 10 wherein said synthetic resin is a polyester.
13. The method of claim 11 wherein said polyester is poly (ethylene terephthalate).
14. The method of claim 12 wherein said polyester is poly (ethylene terephthalate).



US 2008/0173659A1

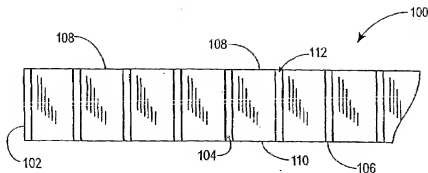
(19) **United States**(12) **Patent Application Publication**  
**Medley**(10) **Pub. No.: US 2008/0173659 A1**(43) **Pub. Date: Jul. 24, 2008**(54) **MAGNETIC LABEL STOCK MATERIAL**(52) **U.S. CL.** ..... 221/1; 428/41.8; 156/60(75) **Inventor: Keith Medley, Marietta, OH (US)****Correspondence Address:****Jerome J. Norris**  
Suite 305, 1901 Pennsylvania Avenue, N.W.  
Washington, DC 20006(73) **Assignee: Keith Medley**(21) **Appl. No.: 11/655,094**(22) **Filed: Jan. 19, 2007****Related U.S. Application Data**(63) **Continuation-in-part of application No. 10/579,786.****Publication Classification**(51) **Int. Cl.**  
*B65G 47/04* (2006.01)  
*B32B 33/00* (2006.01)  
*B32B 37/12* (2006.01)(57) **ABSTRACT**

A magnetic label stock tape that is less prone to damage in handling in labeling machines comprising:

a) a translucent tape having a longitudinal direction and a transverse direction and a dimension in the transverse direction, and at least one major release surface; and

b) a plurality of magnetic labels, each of the magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, the magnetic labels being fixed on the release surface by means of the pressure-sensitive adhesive;

wherein the labels are spaced in the longitudinal direction by a distance sufficient to permit transmission of an optical signal through the tape between the magnetic label, and wherein at least some of the magnetic labels have a dimension in the transverse direction substantially equal to or extending beyond the transverse dimension of the translucent tape.



## MAGNETIC LABEL STOCK MATERIAL

**[0001]** This application is a continuation-in-part of application Ser. No. 10/579,786 filed Feb. 22, 2002 as PCT/US03/04507.

## BACKGROUND OF THE INVENTION

**[0002]** This invention relates to magnetic labels and more particularly to a stock material for applying magnetic labels to a substrate.

**[0003]** 1. Field of the Invention

**[0004]** 2. The Prior Art

**[0005]** Thin flexible magnetic labels, flexible magnets for supporting papers and the like, and said small magnetic signs are commonly distributed in commerce as attachments to substrates such as paper, cardboard and the like. The thin flexible magnetic articles are typically applied to the substrate with conventional label application machines and adhered to the substrate by an adhesive, e.g., a pressure-sensitive adhesive.

**[0006]** The thin flexible magnetic articles are supplied to the applicator machine in the form of a thin, flexible tape with the magnets arranged sequentially thereon. The magnets are adhered to the tape by a pressure-sensitive adhesive coating on the side facing the tape. The tape, which may be paper, or a synthetic resin web, such as polyethylene, polypropylene or polyester, has a release surface, i.e., a surface that allows the magnet to be easily removed therefrom while the pressure-sensitive adhesive remains on the back of the magnet. If the tape material does not naturally have a release surface, it may be treated with the material, e.g., a silicone, to give it release properties. Such release tapes are conventional in the art.

**[0007]** Typically, the labels or magnets on such supply tapes do not extend to the extreme edges of the tape. For paper labels, which are relatively thin, perhaps 0.003-0.005 inches thick, a tightly coiled roll of stock tape may be formed and handled.

**[0008]** However, magnets applied by the conventional label technique are thicker in that they typically range from about 0.0005 to about 0.050 inches in thickness. With such thicker materials, the edges of the tape will extend beyond the edges of the magnets as they are relatively widely spaced when the tape is coiled for distribution and handling. Consequently, the thin paper edges of the rolls that are more widely spaced and extend beyond the edges of the magnets are often bent, crushed, distorted, or even torn in the course of the handling necessary to distribute the rolls and mount them on the labeling machine. Such distorted edges present problems with the smooth operation of the labeling machine because they may not interact properly with the guides and/or may get caught in the labeling machine.

**[0009]** U.S. Pat. No. 3,970,506 discloses apparatus for applying one label of a plurality of labels each carried in a successive position on a tape to a flat article moving in one direction. There is no reference to or mention of, or showing that the magnetic material extends beyond the edges of the magnet so as to pose a risk of being bent, crushed or distorted when handled by a labeling machine.

**[0010]** A series of labels on backing with light source and photo sensitive switch operative thereupon is disclosed in the U.S. Pat. No. 5,232,540. A ypp separates each adjacent pair of labels on the backing that creates a differential in light transmissibility that is detected by photosensitive apparatus that assist in transfer of labels with a pressure sensitive adhesive from a release backing.

**[0011]** Accordingly, a need has continued to exist for a stock material for application of magnetic labels and the like that does not suffer from the deficiencies of the already known materials.

## SUMMARY OF THE INVENTION

**[0012]** Accordingly, it is an object of the invention to provide a magnetic label stock tape wherein the edges of the tape are less prone to damage in handling.

**[0013]** A further object of the invention is to provide a magnetic label stock tape wherein the edges of the tape are less prone to damage in handling as a result of extending the magnetic labels substantially to the edges of the tape.

**[0014]** Further objects of the invention will become apparent from the brief description of the drawings and detailed description of the preferred embodiment of the invention.

## BRIEF DESCRIPTION OF THE DRAWINGS

**[0015]** FIG. 1 is a plan view of a section of the magnetic label stock tape of the invention.

**[0016]** FIG. 2 is a side elevational view of the magnetic label stock tape of the invention.

**[0017]** FIG. 3 is a view in perspective of a coil of the magnetic label stock tape of the invention.

## DETAILED DESCRIPTION OF PREFERRED EMBODIMENT OF THE INVENTION

**[0018]** The magnetic label stock tape 100 of the invention will be described with reference to the figures and drawings. As may be seen from FIG. 1, the stock tape 100 includes a flexible translucent substrate 102, which has a release surface at least on the upper surface 104 on which the magnetic labels 108 are carried. The tape may be made from a synthetic resin, e.g., polyethylene, polypropylene, polyester, or the like. The tape may also be made of a non-woven web, such as paper, having a release coating, e.g., a silicon coating, on its upper surface 104, as shown in FIG. 2 and known to those skilled in the art. It is not excluded that the tape may be made of a woven material, e.g., cloth or the like, having a release coating on its upper surface 104, if necessary. A preferred material for the flexible translucent substrate 102 is a polyester, e.g., poly (ethylene terephthalate), and a more preferred embodiment is mineral filled polyester.

**[0019]** The magnetic labels 108 may be any conventional flexible magnetic label. Such labels are made from suspensions of magnetizable material, e.g., and appropriate ferrite, dispersed in a flexible synthetic resin or rubber binder, and subsequently magnetized. Such flexible magnetic labels are well-known and widely used. Typically the magnetic labels 108 range from about 0.006 inches to about 0.060 inches in thickness.

**[0020]** The magnetic labels 108 are fixed to the upper surface 104 of the tape with a thin layer of a pressure-sensitive adhesive (not shown) on the back of each label 108. The magnetic labels 108 are spaced along the longitudinal direction of the tape 102 with small intervals 112 between them. The tape 102 itself is translucent. Accordingly, the conventional optical sensing devices that control the movement of the tape 102 through the labeling machine can operate in their normal fashion.

**[0021]** The magnetic labels 108 have a dimension in the lateral direction of the tape 102, i.e., at right angles to the longitudinal direction of the tape 102, that is generally equal to the width of the tape in the lateral direction. Accordingly, the labels are sized to extend substantially to the lateral edges 106 of the tape 102. Consequently, the relatively thin and

delicate edges 106 of the tape 102 are supported along most of their length by the lateral edges 110 of the magnetic labels 108. This tends to prevent crushing, distortion, or tearing of the tape substrate 102 when a coil of the stock material 100 is distributed and handled. This arrangement of the magnetic labels also allows the edge guides in the label application machine to bear for the most part on the edge 110 of the magnetic label and the portion of the edge 106 of the tape 102 reinforced by contact with the magnetic label. Accordingly, the tape 102 tends to run more smoothly through the label application machine.

[0022] When the stock material 100 is coiled for shipping, distribution, etc., as shown in FIG. 3, the lateral edges 110 of the magnetic labels 108 substantially coincide with the lateral edges 106 of the tape 102. Consequently the edges 106 of the tape 102 are largely protected from damage in handling and use.

[0023] The propensity for damaging upon handling of the conventional magnetic label stock materials, have now been alleviated by the innovations of the invention, which comprises:

[0024] a flexible translucent release tape having magnetic labels adhered thereto with a pressure sensitive adhesive;

[0025] the magnetic labels being spaced along said tape with light-transmissive gaps therebetween; and

[0026] the magnetic labels extending substantially to the edges of said tape.

[0027] The invention having now been fully described, it should be understood that it may be embodied in other specific forms or variations without departing from its spirit or essential characteristics. Accordingly, the embodiments described above are to be considered in all respects as illustrative and not restrictive, the scope of the invention being indicated by the appended claims rather than the foregoing description, and all changes which come within the meaning and range of equivalence of the claims are intended to be embraced therein.

1. A magnetic label stock tape that is less prone to damage in handling in labeling machines comprising:

a) a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and at least one major release surface; and

b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive; wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and wherein at least some of said magnetic labels have a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of said translucent tape.

2. The magnetic label stock tape of claim 1 wherein said translucent tape is a synthetic resin.

3. The magnetic label stock tape of claim 2 wherein said synthetic resin is a polyester.

4. The magnetic label stock of claim 3 wherein said polyester is poly (ethylene terephthalate).

5. The magnetic label stock of claim 2 wherein said synthetic resin is selected from the group consisting of polyethylene and polypropylene.

6. The magnetic label stock of claim 3 wherein said polyester is a mineral filled polyester.

7. In a method of mounting a supply tape of a magnetic label stock in which magnets are adhesively attached to the substrates, the improvement of preventing thin substrate edges from becoming bent, crushed, distorted and torn, comprising supplying to a labeling machine:

a) a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and at least one major release surface; and

b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and wherein at least some of said magnetic labels have a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of said translucent tape.

8. In a method of distributing a supply tape of a magnetic label stock in which magnets are adhesively attached to the substrates, the improvement of preventing thin substrate edges from becoming bent, crushed, distorted and torn, comprising distributing from a labeling machine:

a) a translucent tape having a longitudinal direction and a transverse direction and a dimension in said transverse direction, and at least one major release surface; and

b) a plurality of magnetic labels, each of said magnetic labels having at least one major surface at least partially covered with a pressure sensitive adhesive, said magnetic labels being fixed on said release surface by means of said pressure-sensitive adhesive;

wherein said labels are spaced in said longitudinal direction by a distance sufficient to permit transmission of an optical signal through said tape between said magnetic label, and wherein at least some of said magnetic labels have a dimension in said transverse direction substantially equal to or extending beyond said transverse dimension of said translucent tape.

9. The method of claim 7 wherein said translucent tape is a synthetic resin.

10. The method of claim 8 wherein said translucent tape is a synthetic resin.

11. The method of claim 9 wherein said synthetic resin is a polyester.

12. The method of claim 10 wherein said synthetic resin is a polyester.

13. The method of claim 11 wherein said polyester is poly (ethylene terephthalate).

14. The method of claim 12 wherein said polyester is poly (ethylene terephthalate).

15. The method of claim 9 wherein said synthetic resin is selected from the group consisting of polyethylene and polypropylene.

16. The method of claim 10 wherein said synthetic resin is selected from the group consisting of polyethylene and polypropylene.

\* \* \* \* \*



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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>		Attorney Docket Number	P08427-T	
		First Named Inventor	Keith Medley	
		COMPLETE IF KNOWN		
<input type="checkbox"/> Declaration Submitted With Initial Filing	OR	<input type="checkbox"/> Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required)	Application Number	10/579,786
			Filing Date	05/18/2006
			Art Unit	
			Examiner Name	

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention titled:

Magnetic Label Stock Material

(Title of the Invention)

the application of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY) 05/18/2006 as United States Application Number or PCT International

Application Number 10/579,786 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

#### Authorization To Permit Access To Application by Participating Offices

☐

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified patent application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified patent application is filed to have access to the above-identified patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the above-identified patent application with respect to: 1) the above-identified patent application-as-filed; 2) any foreign application to which the above-identified patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified patent application; and 3) any U.S. application-as-filed from which benefit is sought in the above-identified patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

[Page 1 of 3]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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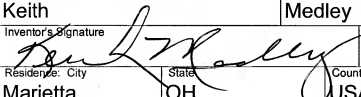
**DECLARATION Utility or Design Patent Application****Claim of Foreign Priority Benefits**

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/US03/04507	US	02/19/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application number(s) are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

## DECLARATION Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; padding: 2px 20px;">28548</span>		OR <input type="checkbox"/> Correspondence address below	
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<b>WARNING:</b>			
<p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. Petitioner/applicant is advised that documents which form the record of a patent application (such as the PTO/SB/01) are placed into the Privacy Act system of records DEPARTMENT OF COMMERCE, COMMERCE-PAT-7, System name: <i>Patent Application Files</i>. Documents not retained in an application file (such as the PTO-2038) are placed into the Privacy Act system of COMMERCE/PAT-TM-10, System name: <i>Deposit Accounts and Electronic Funds Transfer Profiles</i>.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Keith		Medley	
Inventor's Signature		Date	
		1-11-2011	
Residence: City	State	Country	Citizenship
Marietta	OH	USA	USA
Mailing Address			
116 Lincoln Road			
City	State	Zip	Country
Marietta	OH	45750	USA
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto			



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<b>POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	<b>Application Number</b>	10/579,786
	<b>Filing Date</b>	05/18/2006
	<b>First Named Inventor</b>	Keith Medley
	<b>Title</b>	Magnetic Label Stock Material
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	P08427-T-2

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

28548

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

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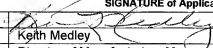
☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on \_\_\_\_\_.

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	Jan 13 2011
Name	Keith Medley	Telephone	740-568-3089
Title and Company	Director of Manufacturing, Magnum Magnetics		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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